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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,240	03/08/2001	Arron Fu	86503-90	1426
28291	7590	01/26/2006	EXAMINER	
FETHERSTONHAUGH - SMART & BIGGAR			TRAN, DOUGLAS Q	
1000 DE LA GAUCHETIERE WEST			ART UNIT	
SUITE 3300			PAPER NUMBER	
MONTREAL, QC H3B 4W5			2624	
CANADA			DATE MAILED: 01/26/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/802,240	<b>Applicant(s)</b> FU ET AL.	
	<b>Examiner</b> Douglas Q. Tran	<b>Art Unit</b> 2624	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 29-48 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 29-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date 12/22/04.

**DOUGLAS Q. TRAN**  
**PRIMARY EXAMINER**

*D. Tran*

- 4) ☐ Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 29, 31-34, 37, 39-42, and 44-47 are rejected under 35 U.S.C. 102(e) as being anticipated by Torikai (U.S. Patent No. 6,763,396 B2).

As to claim 29, Torikai teaches a server for connection to a client via a network; said client operable to transmit user-input to said server over said network and to receive user-output from said server over said network; said server comprising: a network interface for connection to said network; the server comprising:

a network interface (17 in fig. 1) for connection to the network (1 in fig. 1);

said processor (17 in fig. 1), coupled to said interface, operable to remotely host execution of an application for said client (col.5, lines 54-55 and col. 10, lines 34-41); said application for receiving said user-input for said client from said network and for generating said user-output for transmission to said client over said network; said processor further operable to generate a universal printer file (i.e., printer driver) from said application based on a request for a file to be printed that is embedded in the user input; the processor further operable to transmit the universal printer file over the network (col. 9, lines 20-35; col. 7, lines 29-42).

As to claim 31, Torikai discloses the server and the client run cooperating versions of Citrix MetaFrame; and wherein the user-input, the user-output and the universal printer file are carried over the network via Citrix MetaFrame (col. 3, lines 60-62).

As to claim 32, Torikai discloses the network includes at least one of a local area network; a wide area network and the Internet (1 in fig. 1).

As to claim 33, Torikai discloses the universal printer file is carried over the network to the client via email (col. 8, lines 11-18).

As to claim 34, Torikai discloses the universal printer file is transmitted to the client for printing at a printer locally connected to the client; the client operable to interpret the universal printer file for the printer via a universal print file reader in cooperation with a local printer driver complementary to the printer (col. 7, lines 28-42).

As to claim 37, Torikai discloses a client-server computer system comprising: a client operable to transmit user-input over a network and to receive user-output over said network; a server (17 in fig. 1), connected to said client via said network; said server operable to remotely host execution of an application for said client; said application for receiving said user-input from said network and for generating said user-output for transmission to the client over the network; the server further operable to generate a universal printer file from the application based on a request for a file to be printed that is embedded in the user input and to transmit the universal printer file to the client over the network (col. 9, lines 20-35; col. 7, lines 29-42); said client further operable to receive said universal printer file; said client including a universal print file reader operable to interpret said universal printer file into a local printer file in cooperation with a local printer driver (col. 10, lines 34-43); and

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a printer complementary to said local printer driver for connection to said client, said printer operable to print a document from said local printer file (fig. 10).

As to claims 39-41, due to the similarities of those claims 31-33, these claims are rejected as the same reasons as in claims 31-33.

As to claims 42, 44-47, due to the similarities of those claims 29, 31-34, these claims are rejected as the same reasons as in claims 29, 31-34.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 30, 35-36, 38, 43, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Torikai in view of Meyn et al. (U.S. Patent No. 5,859,623).

As to claim 30, 35-36, 38, 43, 48, Torikai does not explicitly teach the downloaded printer driver is generated according to the Adobe Acrobat portable document format ("PDF") and the reader for reading that kind of file.


In the same field of endeavor, Meyn teaches the printer driver would be a Acrobat PDF file. Therefore, the printer driver in PDF format can be downloaded from the server of Torikai to the computer for updating the necessary of the computer for printing the document at the printer.

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***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (571) 272-7442 or E-mail address is [douglas.tran@uspto.gov](mailto:douglas.tran@uspto.gov).

Jan. 20, 2006

  
**DOUGLAS Q. TRAN**  
**PRIMARY EXAMINER**